MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 3, 2016/2017

PIL0014 – INTRODUCTION TO LAW

(Foundation in Management)

30 May 2017
2.30pm – 4.30pm
(2 Hours)

INSTRUCTIONS TO STUDENT:

1. This Question paper consists of five (5) printed pages including the cover page with 32 questions only.

2. Answer **ALL** questions in **Sections A, B and C.**

3. Please write all your answers in the Answer Sheets provided.

SECTION A – TRUE/FALSE QUESTIONS (30 MARKS)

1. Legal action commenced by a private citizen to establish their rights against another citizen is under civil law.

2. The Emergency (Essential Powers) Act 1964 is an example of subsidiary legislation.

3. Municipal law is law passed by a state's legislature and applies only to the said sovereign state.

4. English Law will only be applied by Malaysian court in the absence of local statutes in particular subjects and subject to the suitability of local circumstances.

5. Judicial review is a decision of a superior court of law, cited as an authority, in support of one's argument, to be adopted by a judge in making his decision.

6. Whenever a court makes a decision, it must give the legal reasoning which is known as obiter dictum.

7. If Patrick owes Ricky RM4500 and Ricky refuses to pay, Patrick can sue Ricky in a Small Claims Court.

8. The party dissatisfied with the decision of the Labour Court may appeal to the Court of Appeal within 14 days of receiving the decision.

9. The composition of a Martial Court comprises of a President and at least three (3) officers during a trial.

10. A tax payer must still pay his/her tax liabilities even though he/she has filed an appeal to the Special Commissioner of Income Tax.

11. Federal Constitution is the supreme law in Malaysia and any law passed by the Parliament and State Constitution that is inconsistent with the Federal Constitution is voidable.

12. The meaning of the word "'Res Judicata" is that the decision of the court settles the dispute once and for all.

13. Jurisdictions of the Federal Court and the Court of Appeal are stated in the Federal Constitution and the Superior Court Act.

14. Only Federal Court, Court of Appeal and High Court can make judicial precedent, revoke or amend them.

Continued.....

15. Albert is dissatisfied on the decision of his case in the Magistrate court. He can file an appeal in the Session Court.

SECTION B: MULTIPLE CHOICE QUESTIONS (30 MARKS)

16. Legislation refers to the laws created by _____ under the powers granted by the _____.
    A. Yang Di Pertuan Agong; Federal Constitution.
    B. Federal Constitution; Parliament.
    C. Parliament; Federal Constitution.
    D. Courts, Parliament.

17. _____ imposes on individuals the obligation not to commit a civil wrong and intended to give compensation against the individual affected as a result of that wrongful acts or omissions.
    A. Civil Law
    B. Tort Law
    B. Private Law
    C. Criminal Law

18. The following statements are **TRUE** about Islamic law **EXCEPT**:-
    A. Islamic law has been accepted as part of the Malaysian sources of law.
    B. The power to administer the Islamic law is primarily of the Federal Government.
    C. Islamic law is applicable only to Muslim and is administered by the Syariah Court.
    D. The Islamic law which applies in Malaysia is of the Shafii School of jurisprudence.

19. Decisions of the Court of Appeal bind the following courts **EXCEPT**:
    A. Magistrate Court
    B. Session Court
    C. High Court
    D. Federal Court

20. Criminal law deals with _____whereas civil law deals with _____.
    A. offences; liabilities
    B. liabilities; offences
    C. individuals; public
    D. private individual; state

Continued.....

21. Written laws in Malaysia can be found below **EXCEPT**:
    A. State Constitution
    B. Enactment
    C. Customs of the local inhabitants
    D. Federal Constitution

22. The Government of Malaysia normally refers to _____
    A. The executive, the legislature and judiciary
    B. The constitutional monarchy and the Conference of Rulers
    C. The Prime Minister, Cabinet and citizens of Malaysia
    D. The People's Power

23. Which authority has the function to enact law?
    A. Executive
    B. Judiciary
    C. Legislature
    D. The Courts

24. The following are true about the Federal Constitution of Malaysia **EXCEPT**:-
    A. It gives power to make laws
    B. All laws passed must be consistent with the Constitution
    C. It is supreme law of the land
    D. It can be modified by the Prime Minister of Malaysia

25. What law controls on how Ministers of State and public bodies should operate and make decisions?
    A. Constitutional law
    B. Administration law
    C. Domestic Law
    D. Private Law

26. Law promulgated by the Yang Di Pertuan Agong during emergency under Article 150 of the Federal Constitution is known as _____
    A. Enactments
    B. Ordinances
    C. Acts
    D. Bills

27. Contracts Act 1950, Adoption Act 1952 and Hire Purchase Act 1967 are types of _____
    A. Principal Acts
    B. Amendment Acts
    C. Subsidiary Acts
    D. Revised Acts

Continued.....

28. Which of the following is commonly classified as both public and private law?
    A. Criminal Law
    B. Customary Law
    C. International Law
    D. Tort Law

29. Power of Malaysian courts to review executive and legislative actions is known as _____
    A. Separation of Powers
    B. Amendments of the Constitution
    C. Judicial Review
    D. Judicial Supremacy

30. What is the meaning of Constitutional Monarchy?
    A. The ruler is the head of the Federation of Malaysia.
    B. It is a modernised version of the Malacca Sultanate.
    C. The ruler is above all including the Constitution.
    D. Power and the institution are based on the Constitution.

SECTION C: STRUCTURED QUESTIONS (40 MARKS)

31. The legislative process is the sequence of steps required for laws to move through the system, from ideas to formally adopted legislation. Describe the legislative process in the Malaysian Parliament.

(20 marks)

32. Describe the Tribunals in Malaysia as stated below and state the jurisdiction and composition of each Tribunal:-

(i) Small Claim Court (10 marks)

(ii) Tribunal for Consumer Claims (10 marks)

TOTAL: 20 marks

Total: 100 marks

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